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Minimum wage development and legislation.

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THESIS

MINIMUM WAGE DEVELOPMENT AND LEGISLATION

Submitted by

William Francis Welch, Jr.

(B.S., in Ed., Boston University, 1929)

In partial fulfillment of requirements for the degree

of Master of Education

1930

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MINIMUM WAGE DEVELOPMENT AND LEGISLATION

I. BACKGROUND OF MINIMUM WAGE LEGISLATION.

The term "Minimum Wage" is the result of approximately fifteen years experimentation in the United States.

There has been no central point from which agitation has radiated. On the contrary, the sections of this country which have been active in fostering favorable action for the minimum wage are widely separated and touch all sections of the country.

By naming the states one may easily see the strength of this point. Minimum wage legislation has been passed in Arizona, Arkansas, California, Colorado, Kansas, Massachusetts, Minnesota, Nebraska, North Dakota, Oregon, South Dakota, Texas, Utah, Washington and Wisconsin. There are also laws concerning it in the District of Columbia and in Porta Rico.

All these states, have within these years, (1912 - to the present) urged the development of minimum wage laws. In other words they have fostered the idea of guaranteeing to the working women in the respective states a wage which will be adequate for their self support. It is well to state here that the minimum wage laws in the United States have confined their interest and their scope to cover only the minimum wage of women. We have not advanced very far in advocating a minimum wage for male workers in the United States.

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A. Outgrowth from the legislation of New Zealand and Australia.

Although we have been striving to aid women and minors alone in the United States, as has also Canada, the entire movement is really an outgrowth of similar and more inclusive movements in New Zealand and Australia. In New Zealand and Australia there has been, during the later part of the nineteenth century especially, a movement to regulate the wage (not merely the wage as a minimum) but for all workers in their respective industries.

Thus our minimum wage legislation has grown from the ideas expressed in other countries where they have advanced even further and have legislated for others except the minimum wage earners and also where they do not confine the legislation merely to female wage earners.

Let us probe further into the development in these other lands and see what has formed a basis for our present activity and legislation. During the later part of the nineteenth century New Zealand and Australia found themselves greatly beseiged and diswrought by labor turmoils which broke out in the form of labor uprisings and strikes. These strikes in many cases lasted for a considerable length of time. Aside from the immediate financial troubles which strikes would quite naturally bring about, they also were many times so bitterly aroused as to start physical combats, and much property and many lives were lost.

This of course meant that not only those who were

6. Outcrops from the legislation of New Zealand and Australia.

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primarily hurt suffered but the industries as a whole were injured in both of these countries. It is easy to see why this situation came about. Briefly it occurred about as follows; first, the pay was low and the work was hard. Secondly, the workers had no means of presenting their plea for better conditions through arbitration as they were not far enough advanced in labor organization. Therefore the ultimate resort to which they turned could be nothing short of a strike

Public attention centered about Victoria. An Anti-sweating league was formed at Melbourne to foster favorable legislation. On the committees in this league were members of various classes and political parties. They introduced the inspection of factory system and in general set about to aid those whom they felt were being exploited.

In order to avoid this factory inspection many of the employers had introduced the idea of working at home. Many women working at home at the rate of 12 to 15 hours a day were receiving only about 48.6 cents for their work per day. The Anti-sweating league asked for the introduction of wage boards which would establish a minimum wage for time and piece work in both home and factory. In 1896 Sir Alexander Peacock, often called the "father of the minimum wage," introduced a bill in Parliament which realized this desire. [1]

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[1] Broda, Rudolf - Minimum wage legislation in various countries. - Bulletin of the U.S. Bureau of Labor. Statistics No. 467, p. 11.

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[1] Brady, Dudley - Minimum Wage Legislation in Various Countries. Bulletin of the U.S. Bureau of Labor. Statistics No. 417, p. 11.

B. The Law of 1896 in Australia and its results.

The law of 1896 gave to the committees the right to -

1. Fix a minimum wage for time and piece-work.

2. To restrict the number of apprentices under the age of 18 years so that the law could not be evaded by the employment of apprentices in preference to adult workers.

Later the powers of the board were extended to many more industries. This was to protect the white workers from the advance of Chinese who were willing to work for lower wages as their standard of living was lower. Particularly in the laundry trade this was true. In 1898 the Chamber of Commerce asked for the extension of the boards to include cigar factories, steel and glass workers. Gradually the results have been that the system has been extended to a great number of other industries where home work does not take place and where the workers are not exploited to any extent.

Just what a minimum wage should be based on was a rather difficult question at first and the natural path followed was to base the wage in some manner upon that already being paid by those employers who were thought to be above reproach in their relations with their employees. Since 1907 they have gone even further than this and they have the right now to set the wages even higher, for both home and factory workers, than those paid by good employers.

C. Centralization in 1915.

As might well be expected, at the beginning various

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7. Centralization in 1919.

As might well be expected, at the beginning several

laws were passed at different times and there was no grouping or centralizing under one head of these laws. Thus in 1915 the need was seen that in order to advance good work the laws must be centralized under some grouping system if efficiency were to be realized.

In the fall of 1915 the factory legislation of Victoria was consolidated. The most important features of these acts being -

1. A minimum wage of 2s 6d per week for all factory employment (at par this would be about 61 cents in our money).

2. The powers to regulate the work of the wage boards were set forth.

3. The appeal of the wage boards to a court of industrial appeals was authorized. [1.]

D. Further results.

From time to time other acts were passed which would enable this work to be carried on better. At the end of 1925 there were in Victoria 181 wage boards regulating the conditions of 193,000 employees. As the entire population of the state was only 1,684,107 it is easily seen that these boards regulated the conditions of practically every worker. [2.]

The following table will show that they accomplished a great deal in the raising of the wages.

---

1. Victorian year book - 1925-26 - Melbourne p.361.
2. Australia - Bureau of statistics. - Census - Melbourne p.3.

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[1] Victoriana Year Book - 1922-23 - Melbourne p.321.
[2] Australia - Bureau of statistics. - Census - Melbourne p.3.

Trade.	The Average Weekly Wage.		
	Before 1914	1914	1925
Agricultural Implements.	$9.52	$12.17	$21.56
Boot.	5.59	10.10	20.21
Bread.	5.62	14.90	26.06
Carpenters.	11.52	25.50	27.54
Clothing	4.86	6.48	13.56
Painters	9.90	13.30	23.36
Plumbers.	5.68	13.16	24.30
Starch.	5.04	9.84	22.32
Wicker.	5.56	10.28	19.64

(The figures given here are those received when one substitutes the exchange values of the Australian currency for ours at par value. Given in Broda, Rudolf - Wage legislation in various countries - He takes his figures from the Victorianyear book, 1925-26, Melbourne p. 359.)

The table shows that the industries where there are many women employed have been raised from the "sweating" level even before the war. These increases were important. The power of money as purchasing units had not changed greatly but the wage was greatly increased as is shown. Again after the war when the purchasing power of money had been falling,the wages were again increased to meet this demand.

In 1924 Broda says there were only 67 convictions for violating the determinations of the wage boards. [1.]

[1.] Australia - Department of Labor - Melbourne1925. p.33.

Home work was lessened as many employers found they could not pay the workers the relatively high wages. More factories were built and factory work was substituted for the home work.

As it is evident that the question will be asked, "How about industries closing down and thus putting more people out of work?", it should be noted that the cases in which this happened were extremely rare, and probably occurred where business was rapidly declining anyway.

Professor Broda also says that while he was visiting in Australia it seemed to him that the workers had acquired a feeling of security. He gives as his reason -

"Scientific and humane considerations determine the minimum of existence, having replaced to a large extent the changing hazards of economic warfare and the hazards of blind fate. The worker, knowing this, feels safe, and this conduces to a general tranquility of mind and interest in the prosperity of the nation as a whole." [1.]

Thus we have traced the case of Victoria. The other states have in the main followed this example. Of interest however is the example of New Zealand which in 1894 established compulsory arbitration of industrial disputes. [2.]

---

1. Broda, Rudolf - Wage legislation in various countries - U.S. Department of labor - Bulletin of the U.S. Bureau of labor statistics 1928 - No. 467. p.13.

2. New Zealand official year book 1928. Wellington. p.802.

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[1] Brooks, Sydney - Wage legislation in various countries - U.S. Department of Labor - Bulletin of the U.S. Bureau of Labor Statistics, Nov. 1907. p.12.

[2] New Zealand official year book 1907. Wellington. p. 302.

E. Legislation in other states than Victoria.

Some of the more interesting bits taken from the legislation of the other states are worthy of notice. Western Australia forbids strikes and lockouts. It also has an arbitration board, but as this is based on New Zealand's activities we will consider it later. South Australia has an industrial board which determines a living wage. This board inquires into the increase and decrease in the average cost of living and makes corresponding determinations. New South Wales has fostered a newer plan in 1927 to regard the basic wage for men according to their family. It looks into the needs of husband and wife and has a system of child allowances. An act was passed in the spring of 1927 which provides that a living wage for adult male employees shall be based on the requirements of a man and wife without children but in addition there was passed a child endowment act giving a weekly allowance of 5s. ($1.22) for each child under 14 years of age. It provides however that the total amount of wage plus allowances shall not exceed the basic wage proclaimed at this time plus 13 pounds ($63.18) per year per child. The mother receives the allowances. [1]

F. The Commonwealth system.

There is a system called the Commonwealth system which provides for compulsory arbitration between states when interstate disputes may arise. Strikes and lockouts are prohibited. It also provides for the issuance of rules as to the

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1. Monthly Labor review - August 1927 - p.32.

X. Legislation in other states than Victoria.

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XI. The Commonwealth system.

There is a system called the Commonwealth system which provides for compulsory conciliation between states where interstate disputes may arise. Strikes and lockouts are prohibited. It also provides for the taking of votes in the

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[1] Monthly Labor review - August 1927 - p.38.

licenses of workers unable to earn the minimum wage.[1]

G. Aim of Australian legislation.

The main emphasis of all Australian legislation has been to guarantee a living wage to all workers. The general practice has been to establish as a wage for unskilled laborers that amount which will satisfy only the "normal needs of an average employee, regarding him as a human being living in a civilized community."[2]

The Commonwealth has tried to determine the rates by using a budget form to establish the amount necessary for life.

In 1922 a protest was raised by one company on the basis that by giving a living wage to their employees they had no profits left. The court decided against the company and said that if the company found that they could not pay this wage and profit above it there was really no excuse for the company to operate. In its decision the court said, "If works can not exist and pay a living wage, and if there is a national interest that the works should continue, the workers should not be required to shoulder a burden of the community but a subsidy from the funds available by general taxation should solve the difficulty.[3]

A sociological point of interest is noticed when one learns that Southern Australia has decided that the reasonable needs of workers in cities or where national income is high is greater than in a community where the national income is low.

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1. Broda, Rudolf - Minimum wage legislation various countries. Bulletin of the U.S.bureau of labor statistics. No. 467. p.16.
2. Higgins, Henry Bournes - Harvard law review. January 1919. p.192.
3. Burns, E.M. - Wages and the state. London, 1926. p.279-280.

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9. Aim of Australian legislation.

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A sociological point of interest is noticed when one learns that Southern Australia has decreed that the unmarriable needs of workers in cities or where natural income is high is greater than in a community where the natural income is low.

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[1] Brady, Lucile - Minimum wage legislation various countries. Bulletin of the U.S. Bureau of labor statistics. No. 4??. p.18.
[2] Higgins, Henry Bourne - Harvest law review. January 1919. p.134.
[3] Burns, E.M. - Wages and the state. London, 1926. p.279-320.

The figures given in 1927 by the Commonwealth Court as basic wages were fixed in six main centers. Other wages are given for the more skilled in order to provide an incentive for learning trades.

	Basic wage per week.
Melbourne	$21.51
Sidney	22.23
Adelaide	20.53
Perth	19.44
Brisbane	20.16
Hobart	21.12

(Translated figures.)

These figures are based on the cost of living in these six state capitals during the last quarter of 1926 as published by The Federal Bureau of Census and Statistics. [1.]

By looking to the banks for information we find proof that national prosperity has not suffered, but on the contrary has improved during this newer period of minimum wage legislation. The total assets of the check paying banks are given for the years 1922-27 inclusively as -

Years	Pounds
1922	302,185,648
1923	327,458,496
1924	335,452,422
1925	347,842,100

[1.] Monthly Labor review - May 1927. p.172.

The figures given in 1927 by the Commonwealth Court as basic wages were fixed in six main centres. Other wages are given for the more skilled in order to provide an incentive for learning trades.

Basic wage per week.

Melbourne	£21.21
Sydney	22.23
Adelaide	20.23
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Years	Pounds
1922	302,180,842
1923	327,828,492
1924	352,428,422
1925	347,848,100

[1] Canada Labor Review - May 1927. p.172.

1926	370,844,006
1927	395,346,098 [1]

The savings account records also tell a story which can only be interpreted as a sign that national prosperity is increasing for a conclusion.

Years	Number of accounts	Amount on deposit Pounds
1921-22	3,413,280	162,273,233
1922-23	3,598,901	171,643,812
1923-24	3,798,662	176,871,477
1924-25	3,992,201	183,035,774
1925-26	4,182,566	195,451,540
1926-27	4,461,904	204,159,682 [1]

A pound = $4.8665 at par.

This number of accounts is practically equal to the entire adult population of Australia.

Another chart will tell us the story of fewer unemployed among the trade unions of Australia.

Years	Unemployed percentage
1922	9.3
1923	7.1
1924	8.9
1925	8.8
1926	7.1
1927	6.7 [2]

---

1. Australia - Bureau of census and statistics - Melbourne. September 1927. p.58.
2. Australia - Bureau of census and statistics - Melbourne. September 1927. p.64

1926		370,044,000
1927		385,846,000

1.

The savings account records also tell a story which can only be interpreted as a sign that national prosperity is increasing for a conclusion.

Years	Number of accounts	Amount on deposit
		Pounds
1921-22	3,413,280	188,273,233
1922-23	3,328,901	171,845,818
1923-24	3,728,609	176,971,477
1924-25	3,922,501	186,020,774
1925-26	4,182,568	193,431,540
1926-27	4,461,904	204,129,032

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2.

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1. Australia - Bureau of census and statistics - Melbourne. September 1927. p.25.

2. Australia - Bureau of census and statistics - Melbourne. September 1927. p.26.

It is also a fact that industrial disputes have lessened to an almost negligible point in comparison with the frequent industrial disputes which led to this minimum-wage legislation in the beginning.

II. NEW ZEALAND LEGISLATION.

A. The New Zealand labor movement.

Now it seems only proper that we should return to New Zealand which has developed compulsory arbitration.

The labor movement in New Zealand had gained in size and strength much more than had the same movement in Australia at the time that labor legislation began. Therefore the Labor Party was more strongly represented in the government which instituted the first New Zealands laws.

Although a pioneer in minimum wage arbitration New Zealand did not continue to blaze trails and must be complimented on the fact that she was the one to point the way, and deplored because she did not continue on the path. [1]

B. 1894. Industrial conciliation and arbitration act.

As early as 1894 the original industrial conciliation and arbitration act was passed. This idea was brought about because many felt that if a wage were set it would hardly please both sides and one way of overcoming this trouble would be to have both sides represented on a board where peaceful settlement of industrial disputes might be attempted.

Both parties were to be represented, the employers and the employees were each to choose their representatives. There was to be a formal registration of associations of both employers and employees. Also a board of conciliation and, in the last instance, a court of arbitration in case of grievous

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1. Broda, Rudolf - Minimum wage legislation in various countries p. 23.

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[1] Hoxie, Robert - Minimum wage legislation in various countries p. 32.

conflicts.

This seems a simple and almost self-evident thought, but simple as it is, no one country or state deemed it of sufficient importance until 1894 when New Zealand did.

C. Late legislation.

There followed more legislation in after years. In 1898 the first laws were amended so as to authorize the court to prescribe minimum wages and to provide for lower rates for workers who, it was deemed, were not capable of earning the minimum. [1]

In 1905 provisions for the punishment of any employers or employees participating in strikes and lockout were passed. In 1911 in order to make the decisions of the courts more emphatic the court was given the power to convert any or all the agreements come to between parties, into official acts or awards.

When the court was given the power in 1898 to set a minimum wage it was felt that this was to be merely a weapon with which to settle disputes, however, it has become much more than this. Rather the reverse has happened, the courts have used the power to prescribe minimum wages as a means to prevent disputes. Thus they use the power as a preventative rather than a remedy.

In 1919 they went so far as to declare minimum wages for the whole country. This did not work very well because of various conditions in the different trades. By 1923 they saw this trouble and decided to change about and make new rates in accordance with the cost of living and the conditions of the various trades. By now they had not only minimum rates

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1.-Minimum wage fixing machine - International Labor office bulletin. No. 17. Geneva, 1927. p.129.

conflicts.

This seems a simple and almost self-evident thought, but simple as it is, no one country or state seems to have it of sufficient importance until 1896 when New Zealand did.

C. Late legislation.

There followed more legislation in after years. In 1896 the first laws were amended so as to authorize the court to prescribe minimum wages and to provide for lower rates for workers who, it was deemed, were not capable of earning the minimum.[1]

In 1900 provisions for the punishment of any employers or employees participating in strikes and lockouts were added. In 1901 in order to make the decisions of the courts more realistic the court was given the power to convert any or all the arrangements into binding awards, into official rulings or awards.

Then the court was given the power in 1905 to set a minimum wage. It was felt that this was to be merely a weapon with which to settle disputes, however, it has become much more than this. Rather the reverse has happened, the courts have used the power to prescribe minimum wages as a means to prevent disputes. Thus they use the power as a preventative rather than a remedy.

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[1] -Minimum Wage Fixing machine - International Labor office bulletin. No. 19. Geneva, 1921. p.150.

but also rates for the semi-skilled and skilled. The present practice is to fix a set of wages for each separate industry.

The first act, 1894, did not mean that necessarily all disputes must be settled by arbitration as it set forth that it was for those who were registered, both the employers and employees associations. However, most associations joined and it became the accepted thing.

D. Consolidation of industrial and arbitration acts.

Among the Industrial and Arbitration acts which were consolidated in 1915 some are of importance especially and very significant when we considered their bearing on other later legislation.

1. Unions with a membership of 15 and employers with a membership of 3 may be registered.

2. Only registered associations may become parties to the agreements under the acts.

3. Disputes go before a council of conciliation before they reach the court.

4. The council may make recommendations to the court.

5. The court of arbitration shall consist of 3 members appointed by the Governor General, two of them nominated by one of the association of employers and the other by the association of employees. [1]

6. Not only those taking part in the inquiry are bound by the decision but also the whole industry which is

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[1] Broda, Rudolf - Bulletin of the U.S.Bureau of Labor statistics. No. 467. p. 24-25.

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The first act, 1894, did not mean that necessarily all disputes must be settled by arbitration as it set forth that it was for those who were registered, both the employers and employees associations. However, most associations joined and it became the accepted thing.

7. Constitution of industrial and arbitration acts.

Among the Industrial and Arbitration acts which were consolidated in 1925 some are of importance especially and very significant when we considered their bearing on other later legislation.

1. Unions with a membership of 15 and employers with a membership of 3 may be registered.

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6. Not only those taking part in the inquiry are bound by the decision but also the whole industry which is

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1. Morris, Rudolf - Bulletin of the U.S. Bureau of Labor statistics. No. 497. p. 24-25.

represented by the trade union in that section. In fact, the court may extend its decision to the whole sphere of that industry in the country.

7. The court may determine lower wages for those not able to earn the minimum.

8. Striking workers may be fined 10 pounds.

9. Lockout employers may be fined 500 pounds.

10. Trade unions or employers associations breaking an agreement 100 pounds.

11. If no settlement is reached in fourteen days, a secret ballot may be taken among those concerned, to determine whether they wish to accept the recommendations of the council or strike. After seven days from the ballot they may strike. The same applies to the employers, they must wait seven days after a ballot before declaring a lockout. [1]

E. New Zealand aims in minimum wage legislation.

In New Zealand, as in Australia, the cost of living has been the basis for determining the wage. New Zealand has however, taken the conditions of trade into a greater consideration in establishing its wages. In 1922, inquiries were made into the movement of prices, trade balances, banking facilities and so on to ascertain the net wealth of the country "as a factor in visualizing a fair standard of living as a relative entity." - (Broda)

From 1923 on, trade conditions have been the main consideration in establishing the rates.

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1. Broda, Rudolf - Bulletin of the U.S. Bureau of Labor statistics. No. 467. pp. 24-25.

Different rates have been established for workers in the skilled - semi-skilled. Thus the point to be remembered is that New Zealand tries to satisfy both parties by establishing the balance found in weighing a "living wage" and the "wages the trade can bear." This may be recommended to any country. The value of this arbitration may be seen by giving the number of days lost in work per year per 1,000 workers in various countries through strikes and lockouts. The figures are from 1919-1923.

Great Britain	819
Sweden	795
New South Wales	661
Germany	591
Western Australia	461
Australia	411
Italy	352
South Australia	270
France	259
Victoria	234
Queensland	223
Canada	194
Tasmania	121
* New Zealand	84 *

Industries have benefitted as a whole by the legislation in New Zealand. The number of factories has increased from 13,464 in 1914 to 16,614 in 1927. [1.]

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Great Britain	818
Sweden	795
New South Wales	661
Germany	391
Western Australia	461
Australia	411
Italy	382
South Australia	370
France	239
Victoria	234
Queensland	223
Canada	194
Tasmania	187
New Zealand	94

Industries have benefitted as a whole by the legislation in New Zealand. The number of factories has increased from 12,414 in 1921 to 16,814 in 1929.[1]

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1. New Zealand. Department of Labor report 1929-30. Wellington p.6.

All and all, wage legislation and industrial arbitration have been an unqualified success in New Zealand.

Let us remember that whereas Australia had as a primary basis for determining a living wage the cost of living and the amount that one must have to live as an human being in a civilized country, New Zealand carried out her arbitration idea to the point where she tempered this with the question of how high a "wage the trade could stand."

F. Influence on other countries.

From these beginnings the movement spread to other countries. Let us consider England next. Great Britain has always had a great many labor difficulties. In England especially this has been evident. The evils to be remedied at the beginning of the 19th century were much like those of Australia. The sweating industries in the two places were rather similar. The first legislation was in 1909 when wage boards were established which was to consider the industries which had home work on their pay roll.

Later in 1913, these industries were added to by the Minister of Labor, to include over 400,000 workers, 75% of them women. Again in 1918, the sphere of the wage boards was again extended. It was in fact extended to include all industries not all ready provided for by an adequate machinery for the effective regulation of wages.

These wage boards were composed of members of the employees and members appointed by the government. In case of ties, the Government appointees decided.

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These wage boards were composed of members of the employees and members appointed by the government. In case of ties, the Government appointees decided.

These boards do not fix piece work rates, they fix only time work rates. However, the employers are made to show that their schedule for piece work will enable an ordinary competent worker to earn the time rate amount.

Any trades where conditions have become satisfactory may ask to be excluded from further connection with wage boards and may be so excluded by the minister of labor.

In England there has been some difficulty experienced where the workers have acted in "cahots" with the employers and returned parts of their salary.

Wages in general have been raised since the wage boards were instituted. The following chart shows the wage per hour in 1914 and 1925 (minimum wage.)

	1914		1925	
	Male	Female	Male	Female
Tailoring	.12	.07	.23	.15
Paper box making	.12	.06	.20	.16
Chain making	.11	.055	.29	.14 [1]

England has carried on her work in the minimum wage sphere much as she carries on much of her law making. She has no set rules and regulations or at least few of them. She leaves much to be taken for granted. However, the people of England are of a temperament where this is possible. In the United States perhaps, we ask for hard and fast rules and regulations, whereas in England they sort of leave things loose and check on them when necessary. Both ideas have merit.

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"No board has ever proclaimed that if its members could not pay a living wage they had better retire from business. And there is no reason why it should. It represents the trade itself; the ordinary members, probably because of their numerical strength play a much greater part in the deliberations than is elsewhere the case, and both employers and workmen are alive to the importance of maintaining the existence of the trade." [1]

The procedure of one board is described by Sir Hopkins as follows -

"We considered the fact of the cost of living; we considered the rates which were paid in similar employments as near as may be, and all the other elements of the case; and then the parties talked it over, and in result, after talking it all over together, we have in that case arrived at what we think is the fairest minimum rate ultimately adopted by agreement of both employer and employed." [2]

Maybe this way of settling matters has accounted for the many arguments advanced against the minimum wage in England. However, after the arguments have been discussed pro and con we have left some undisputed factors.

1. Sweating reduced and much misery disappeared.

2. Minimum wages do not tend to become maximum.

3. Better machinery has been introduced and the workers forced to work harder; this has speeded up and increased

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[1]. Burns, E.M. - Wages and the state - London. 1926. p.274.

[2]. Broda, Rudolf - Bulletin of the U.S.Bureau of labor statistics. No. 467. p.37.

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2. Hirsh, Nudolf - Bulletin of the U.S.Bureau of Labor statistics. No. 127. p.29.

production.

4. Coöperation of trade boards aids peace.

5.Good employers welcome the acts.

6. Industries have not been destroyed.

7. The Public has made no particular complaint about increased prices.

8. No great increase in unemployment.

Thus we must remember England as a country which has a loose code of laws but we must also remember that English temperament can better stand this. England sets only minimum wages must be noticed, otherwise she does much the same as New Zealand.

Other countries too,have fallen into line and legislated in this respect. It is well to name them here and sufficient to say that they all have adopted the rules set forth by Australia and New Zealand to a greater or lesser degree and tempered it with their own conditions of trade, social existence etc. These countries are -

Canada	Spain
South Africa	Uruguay
Mexico	Switzerland
France	Austria
Norway	Czechoslavakia
Argentina	Poland
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III. THE UNITED STATES.

A. Early history.

Now let us turn to the United States and see what progress she has made along the paths pointed out by Australia and New Zealand.

The first state to pass a minimum-wage law was Massachusetts in 1912, the law was to become effective in 1913. In 1913 eight states, California, Colorado, Minnesota, Nebraska, Oregon, Utah, Washington and Wisconsin, passed laws which were to aid women and minors. Thus we see the year 1913 was the year in which the minimum-wage really had its birth in the United States.

This interest was the result of the sudden realization that the United States was fast becoming an industrial country and that the numbers of women in industry were very large.

With the realization of the great number of women workers, which was found to be in the millions, came the desire to know under what conditions these women worked.

State departments and private organizations set about to determine the status of women in industry. The most significant study made was that of the Federal Government between 1907 and 1910 called - "Women and child wage earners in the United States."

When the results of these studies were made known to the public it was seen that the rates were surprisingly low. The conditions under which women and children were working were deplored. The wages they were receiving were held up to ridicule. It seemed deplorable that in a country with the social standard we

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professed to have, such conditions would go on.

B. Political recognition.

Public opinion arose in such a protest that the Progressive Party felt it advisable to adopt in its platform in 1912 a resolution favoring a minimum wage for women and children.

It was only natural that in reply to the plea of the Progressive Party something should be done about the minimum-wage for women and children question. Although hardly victorious politically, our minor political parties often do a great deal to aid our social standards. When public-opinion is aroused on a subject it is quite often because of the urging of the minor parties. The major political parties realize they can not afford to overlook the points and they adopt similar platforms. Thus the minimum-wage gained political recognition.

C. Australian and New Zealand influence.

The advocators of the minimum-wage turned to Australia and New Zealand to find what had been done and to see how their legislation would best be addpted to ours.

Two things which were favorably viewed in these other countries failed to find favor here. These were male minimum-wage and compulsory arbitration. [1]

It was felt that these two things in some way were giving the government too much authority over the home. Many of us remember that only quite lately when the "child labor law" was being advocated in Massachusetts, the greatest argument was that it diminished the right of the home. Even the churches in some

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Different countries are of different temperaments. Therefore the United States recognized the things in the Australian laws which would be adaptable and in general did try to take the laws of these countries and by adding and subtracting make them adaptable to our needs. At this particular time the great interest was concerning women and their position in industry. Massachusetts was the Pioneer state. Michigan was close second. In 1912 and 1913 both of these states appropriated money to investigate the conditions under which women were working in their respective states.

When these investigations were received it was found that they too quite naturally showed shockingly low rates being paid the women in industry. Massachusetts rose to the occasion and passed immediately a minimum-wage law for women and minors. Almost as quickly the leaders in eight other states urged the same and by 1923 eight more had put laws much like Massachusetts on their statute books. [1.]

The second group of states included Arizona, Arkansas, Washington D.C., Kansas, North Dakota, South Dakota, Texas and Porto Rico. [1.]

As might be expected the laws which were first passed in the states were many times amended. The greatest surprise being how well they were framed in the beginning and although quite naturally they have been freely revised, the original framers so

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1. Holcombe, A.H. - The effects of the legal minimum wage. - American academy of political science. Philadelphia - 1917.

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well did their work that the laws have readily lent themselves to revision.

D. Legal controversy.

There have been two main sources of their amendment, - one a favorable one, the other not so favorable. The first came in the form of agitation by friends, the second appeared in court attacks of people or usually employers to be exact, who are not benefitting by the laws.

The results of this have not been very encouraging to the advocates of minimum wage. When cases have gone to court it has in general been to the disadvantage of the minimum wage supporters.

In 1919 the Nebraska legislature repealed the states laws. In 1921 Texas did the same for theirs. In the District of Columbia, Arkansas and Arizona, the United States Supreme Court has declared the law unconstitutional. In Porto Rico and Kansas the State Supreme Court has done likewise, basing their decisions on that of the United States Supreme Court in the District of Columbia ruling. In Minnesota the Attorney General has ruled also that the Minnesota law provisions are unconstitutional, also basing his verdict on the District of Columbia case. [1]

Wisconsin has passed a new set of rules after finding her previous ones unconstitutional according to a Federal District Court.

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1. The establishment of minimum wage laws. - U. S. Department of Labor. No. 61. pp. 2-3.

is not so bright at the present time. In the states where their laws were held unconstitutional for adult women, only one, Wisconsin, has attempted to remedy the situation by passing newer laws which may be deemed constitutional. [1]

It seems to be a fact that for the present at least the cause has been dropped in most of these states. Massachusetts has been a consistent worker for minimum wage and if the other states are to reconsider and attempt minimum-wage legislation again it is highly probably that they will turn to Massachusetts for ideas. However, Wisconsin did not follow the lead of Massachusetts. Rather, Wisconsin tried to get the same results she did have before her laws were found unconstitutional by passing a negative rather than a positive role. [1]

The old Wisconsin law said that a wage must be paid which would provide proper living while the newer one says "no wage shall be oppressive." It is hard enough to determine the rate necessary for a proper living and it seems that this term will prove even harder to define financially. Wisconsin also has a second feature in that it allows an employer to be given a license which makes it legal for him to pay all of his employees less than the rate set by the commission providing he can satisfactorily establish the fact that he is unable to pay such a rate.

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This is based on the law in Massachusetts which permits the employer to petition the court when he believes he can not meet the commissions' rates. The Wisconsin law simplifies all this by giving the commission the right to grant such license. [1]

The question is whether or not these two Wisconsin changed laws are going to prove satisfactory by convincing the court that they do not interfere with freedom of contract between employer and employee.

It is hardly advisable in this paper to study those states wherein the laws have been declared unconstitutional if for no other reason than that dead letter issues are not interesting. Massachusetts is still busy with preparation for laws and will probably offer new ones soon for legislative action.

Therefore the better plan will be to study the general activity of minimum-wage and then let us consider Massachusetts legislation.

E. Social aims.

The purpose has been in all the laws to establish a minimum wage for all women wage-earners that will enable them to support themselves in a proper and healthful manner.

It has claimed by the friends of the minimum wage that many women in industrial occupations were paid a wage so low that they were not able to provide this for themselves. It this be so they will naturally be in ill health and dependent in the end upon charity either public or private for existence. This situation would be detrimental to the best interests of society.

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1. American Labor Review - New York 1925. (December) p.325.

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A. Social aims.

The purpose has been in all the laws to establish a minimum wage for all women wage-earners that will enable them to support themselves in a proper and decent manner.

It has claimed by the friends of the minimum wage that many women in industrial occupations were paid a wage so low that they were not able to provide this for themselves. If this be so they will naturally be in ill health and dependent in the end upon charity either public or private for existence. This situation would be detrimental to the best interests of society.

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[1] American Labor Review - New York 1913. (December) p.857.

The reason for the employer being able to hire women at such a rate is that they are usually aided by other members of the family and are not therefore entirely dependent upon the salary which they receive themselves for a living. However, in the end when they no longer receive aid from others it is a well established conclusion that they become charity dependents. Thus it is urged that the state should guarantee a wage which will completely support the woman who does full time work. Just how they are to guarantee this is a question. Every state has decided upon different ways.

F. Type of laws.

There have been two general methods. The first is to establish a fixed minimum-wage which is sometimes called"inflexible" and say that no lesser wage may be paid. The second method is to create a machine which will establish minimum wage rates when the occasion requires it. This is called a "flexible" method.

When there is an inflexible law the first minimum wage set becomes the set inflexible rate until amended by law. This is rather unsatisfactory as standards of living change, also conditions of trade as well as the cost of living. It is well known that amending laws is not a matter which is easily accomplished. The other method gives to the decisions of the commission the aspects of law. Thus, they are flexible and the rates may change whenever the commission finds it advisable to change them.

The reason for the employer being able to pay wages at such a rate is that they are usually aided by other members of the family and are not therefore entirely dependent upon the salary which they receive themselves for a living. However, as the end when they no longer receive aid from others is a well established good being that they become wholly dependent.

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7. Right of Law.

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Only a few of the states adopted the first method, namely, Arizona, South Dakota, Utah and Porto Rico. [1]

G. Process of establishing a wage.

There is no argument which holds any weight which can be advanced in support of the inflexible as being better than the flexible rates. Therefore we would better consider the flexible ones.

The basic principle in the working of the flexible laws is to have a commission established which is appointed by the legislature. This commission established the minimum-wage rates.

Roughly speaking the commission investigates the cases which upon sufficient advice it deems necessary. This usually occurs when they learn that a considerable number of women workers are receiving a wage which will not provide them satisfaction of health and ordinary living. [2]

Then this certain industry is investigated and a cost of living chart is drawn up, which to the best of their ability shows how much a woman should be earning at the present time to satisfy the health and welfare requirements.

If the commission finds that a considerable number of women are receiving less than this amount it establishes a wage board and holds hearings and meetings to establish what the minimum-wage shall be. After a wage rate has been decided upon, a public hearing is held which hears all arguments before final publication of the decree. The rate finally decided upon then becomes the lowest rate lawfully payable to any woman or minor worker on full

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1. The Development of minimum wage laws - U.S.Department of Labor. No. 61. pp.8-9.

2. Wage boards and their work. - Massachusetts Department of Labor and industries. 1928 - p.1.

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C. Increase of satisfactory a wage.

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[1] The development of minimum wage laws - U.S. Department of Labor. No. 61. pp.1-7.

[2] Wage boards and their work. - Pennsylvania Department of Labor and Industries. 1928 - p.1.

time schedule.

The ways in which this is done vary with the legal status in the various states and also with the whims of the legislatures and advocates. Fundamentally however this is the route followed. The first question which arises is, "Just how many women are affected by the minimum-wage laws?" Let us examine the different state statutes and see. Some of them given here will give us our answer. -

"Women and minors in any vocation, trade, pursuit or industry" - Colorado - Kansas (1915) - Oregon.

"Women and minors in any business, industry, trade or branch thereof." - District of Columbia - Minnesota - North Dakota.

"Women and minors in any occupation, trade or industry " - California - Texas - Washington.

"Women and minors in any industry or occupation" - Kansas (1921)

"Women and minors in any occupation" - Massachusetts - Nebraska.

"Every person who is in receipt of or is entitled to any compensation for labor performed for any employer." - Wisconsin.

"Women in any of the specific industries or occupations listed." - Arkansas - Colorado.

Under the last two states it was found that such industries as "any manufacturing, mechanical or mercantile establishment, laundry transportation or express company, hotel, restaurants, telephone or telegraph business was listed. [1]

1. Development of minimum wage laws in the United States. U.S. Department of Labor. No. 61. Chart on p.13.

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1. Developments of minimum wage laws in the United States. U.S. Department of Labor. No. 61. Next on p.32.

This shows us that the laws really applied to about any women occupied in gainful occupation. Any amendments which have been made have been to increase the scope rather than decrease it.

A chart which shows the real number of women affected by the laws and the whole number working, as well as the number who could possibly be affected by states, follows;-

State	1 Number of Women Workers	2 Number to whom wage law could possibly be applied.	3 Number to whom it is practical to apply the wage law.
Arkansas	115,810	35,032	16,652
California	286,647	191,429	157,493
Colorado	62,587	39,513	30,225
District of Columbia	92,626	60,119	60,113
Kansas	92,510	56,502	42,651
Massachusetts	503,155	422,623	374,940
Minnesota	164,066	86,081	86,081
Nebraska	71,789	42,249	34,125
North Dakota	28,328	9,522	9,522
Oregon	54,492	35,854	29,836
Texas	303,843	84,378	84,378
Washington	92,900	62,616	52,441
Wisconsin	182,365	130,636	101,800
Total	2,051,118	1,258,568	1,080,257 [1]

[1] Development of minimum wage laws. - U.S. Department of Labor Bulletin 61 - p.15.

The third column is obtained by subtracting, in most cases, the women in domestic and agricultural service. It will be seen that by comparing the first and second column many women are either employers or have professional positions or are supervisors, or in some manner are so employed that they do not come under the terms of minimum-wage. Thus the group in column three are the ones which really are affected by the minimum-wage laws. These are the women in stores, factories, hotels, restaurants, etc.

It is well to state that in the states where the greatest percentage of women would come under the laws, the most has been done to apply a minimum wage, as for example, in Massachusetts. There are also charts which tell us of the number of minors affected and the sex of the minor.

All the states having laws, regulate them for both male and female minors except Arkansas. The ages given for minors vary from fifteen to twenty-one years of age. Minnesota applies her laws for males as far as twenty-one years of age, while Texas stops after fifteen years of age is reached by either male or female.

Most of the states have laws granting licenses for lower wages to those incapable of earning a minimum wage. Provisions are also made for apprentices and learners. This is protection for the employer which will enable him to pay less than the minimum established to women who are not yet proficient enough in their work to earn the minimum rate. However, time limits are set in the various industries which make it impossible for the employers to maintain a status of learner or apprentice

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for any unfair length of time.

Now we come to the question of "Who are the members of the commission?" Speaking in general for all the states, it is fair to say that the general rule is that the commission shall include an equal representation of employers - employees; thus both parties to the affair are to be satisfied. In addition to this a member who is impartial is usually appointed by the Governor of the state. There are usually three members on the commission and at times there are five.

The labor or employee representative is appointed in most cases by the Commissioner of Labor. Often all are appointed by the Governor. However, both sides are always represented. Most states also provide for the presence of a woman on the commission. There are also provisions for compensations for service on the commission, some states making none, others paying for service by the day and also paying traveling expenses. Washington pays a salary of $7,500 to its members, while Arkansas, Texas and District of Columbia pay nothing.

There has been a tendency to subordinate minimum wage administration to other activities by combining the department with others. For example, the placing of the wage commission with the Department of Labor or Industry.

In Massachusetts one goes to the Department of Labor and Industry for minimum wage information and not to a separate Department of Minimum Wage.

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In Massachusetts one goes to the Department of Labor and Industry for minimum wage information and not to a separate Department of Minimum Wage.

Many believe this to be the cause of some of the poor work or rather the reason why better work could not be accomplished.

By subordinating the Minimum Wage Commission it has been hampered financially also. If better facilities were given the Minimum Wage Commission with which to work it seems safe to say they would do more and better work. This is no reflection on the Labor and Industry heads, they have much to do and the Minimum Wage must find its place in their schedule. If there were a separate Department of Minimum Wage with all its interest centered thereon, it would naturally do more for the movement.

It is also well to say that the states where women have served on the commissions have been the most active. The laws being for the women it should follow that they should have a spokeswoman on the board.

There is the question of whether or not people should serve with or without salaries on the commission. It would seem that it would be better to have people who received no salary but were directly interested, this being often impossible as many times the best qualified mentally and in character, might be unqualified financially. However it is sure that it should not be made a political plum and it should not be included with other duties. Thus a person capable of doing the work would receive a fair salary not high enough to attract the plum seekers but adequate to support one able to perform the duty.

Now let us see what the commission does. In short it -

1. Investigates the conditions of the women workers.

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Now let us see what the commission does. In short it -

1. Investigates the conditions of the women workers.

2. Determines a living wage for them.

3. Declares a minimum rate to meet it.

4. Enforces the rate.

The various states differ only in the methods of doing this. The various laws provide for investigation of factories and conditions, subpoena of witnesses, examination of pay rolls, requirement of statements by oath, information on all questions deemed proper to ask. [1.]

Thus the first step is satisfied. After receiving all the information regarding the existing conditions the commission sets out to determine what is a living wage for the women. This is done in two general ways. 1. By obtaining information from the women workers on what they actually spend on different items. 2. By preparing, with all the helpful agencies contributing that are possible, a model budget. [1.]

It is true that all people can not live on the same amount of money, but an attempt is made to strike the medium for them. Such agencies are employed as; Agents, Interviews with YWCA., Merchants, Men of Professions, Settlement House and Worker, Labor statistics, Economic statistics, Cafeterias, Lunch rooms, Chamber of Commerce, Employers, Employees, Persons furnishing necessaries of life, Professor's of Economics. Every effort is made to aid in the establishment of a proper amount as the minimum wage.

If the Commission decided that the wage being paid falls below the wage suggested by their budget they decide a wage board is necessary in most cases. Sometimes certain states

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1.-Wage Boards and their Work - Mass. Department of Labor and Industries - September 1928. pp. 2-6.

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1.-Wage Boards and their Work - Mass. Department of Labor and Industries - September 1920. pp. 5-6.

decide to let the commission establish the rate itself. Others decide a committee of disinterested citizens will do it better.

The more common way is to have a "wage board" established which will include employer and employee representation and a ruling odd number of impartial members. The wage board is paid in most cases the same price as jurors in the state, and their expenses. Provision is usually made for women membership. Women being the greater buyers of the essentials of life this is commendable. These members are selected in various ways, the commissioners usually having the appointing power.

The hardest members to select are the women employee representatives. It is hard to find a woman who is willing and capable to serve on a wage board. They fear the employers will not like it, many are not mentally able, others are financially unable. The people to be represented are usually given the chance to nominate any one they chose. Even then it is often difficult to secure members. After final completion of the wage board the commissions act as guides for them and instruct them about what they shall do. The Commission is responsible for the rate set so they naturally are careful in watching the workings of the wage board.

It is a question whether or not the creation of wage boards is to be praised. It is sure that this creation does bring together the interests of both groups. But does it aid

or hurt harmony between them? Some contend it would be better to have the commission set the wage as it does in some states without having a wage board. The Commission represents both factions itself so why bring on another board which merely increases the numbers of the representatives. Of course it does provide actual representative employers and employees, that is sure. However there are arguments on both sides.

In order to estimate the cost of living as a means to establish a minimum wage the usual form is to concentrate on the following items and thus prepare a budget. This is a suggested form and Massachusetts is the only state which really follows it "to the letter." Both factions make up budgets and then compare them and come finally to an agreement. This becomes the minimum-wage for that time.

As stated, although not actually followed in all the states, this chart is the basis used largely by all of them to determine the wage. Under different items, different things are sometimes included,as for example - at one, Newspapers and Magazines were included under Self-Improvement.

Form For Estimate of Cost-Of-Living Budget.

Minimum required to maintain a self-supporting woman in good health and decency.

Items.	Amount Per Week.
1. Board and Lodging	$ _____
2. Clothing	$ _____
3. Laundry	$ _____

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Form for Estimate of Year-Of-Living Budget.

Minimum required to maintain a self-supporting woman in good health and decency.

Items.	Amount for week.
1. Board and lodging	$ _____
2. Clothing	_____
3. Laundry	$ _____

4. Doctor, Dentist, Oculist $ _____

5. Car Fares $ _____

6. Church $ _____

7. Self Improvement $ _____

8. Vacation $ _____

9. Recreation $ _____

10. Reserve for Emergency $ _____

11. Mutual Association Dues $ _____

12. Insurance $ _____

13. Incidentals $ _____

Total $ _____

It will well be understood that there has been frequent conflict on the boards over various items. A Majority vote has always settled the question on each item but it is always if possible debated long hours in an attempt to get a unanimous vote for the sake of harmony.

Round Table discussions have been the most accepted form and the best it seems. The figures telling us how long these boards have worked or rather how long their meetings have extended is shown by these figures for 1927.

Number of Boards	1 or 2 days	2 days to 3 months	3 - 6 months	more than 6 months
96	30	41	16	9

The Cost of living chart and the minimum-wage established have in most cases been almost the same.

Because of the flexibility of most laws as before stated, the cost has been different each time the survey has been

4. Janitor, Janitor, Janitor $ _____

5. Gas Fires $ _____

6. Water $ _____

7. Soil Improvement $ _____

8. Vegetation $ _____

9. Reforestation $ _____

10. Reserve for Emergency $ _____

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made. Massachusetts is an example and will be shown later. The cost-of-living rises and falls, therefore the minimum-wage to be consistent must do likewise. States having unflexible laws could not provide for this, as they set a minimum wage by legislation and it stays until amended.

In the flexible states the rate is established at each controversy and this rate (as established by the commission) becomes the rate of law. After the rate is established, in order that it may become law, public hearings are held. Some states even provide for a hearing before they decide on a rate, the hearing being public, and some require both hearings before establishment and before becoming law. Wisconsin is the only state not requiring a public hearing before the rate becomes law.

After the rate is established by law the next question is, "How is the rate enforced?" Here we must remember that as many states have had their laws declared unconstitutional it is hard to say how they are enforced. In most cases where they are enforced it is by penalty of fine, in some it is by provision, and in others by both. Massachusetts requires newspapers to publish the names of all violaters of the laws. All states require employers to post the notices of hearings and various documents in order that their employees will know what is going on.

The U.S. Department of Labor says that, "After a stormy career, minimum-wage laws seem to be in a very

made. Massachusetts is an example and will be shown later. The cost-of-living index and rates, therefore the minimum-wage, is be consistent must be likewise. States having unfair labor laws could not provide for this, as they set a minimum wage by legislation and it stays until changed.

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The U.S. Department of Labor says that, "After a strong career, minimum-wage laws seem to be in a very

dubious position as far as mandatory enforcement of wage rates is concerned. The higher courts of the state have held these laws to be constitutional but the Supreme Court of the United States has come to a different conclusion." [1]

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1. The Development of Minimum Wage Laws in the United States. - U.S. Department of Labor. No. 67. p.323.

IV. CRISIS OF 1923.

In 1923 the Minimum Wage advocates received their strongest blow. This blow fell in the District of Columbia where a case was tried before the United States Supreme Court, and the verdict given was to the effect that the Minimum Wage Law in the District of Columbia was unconstitutional.

The brief facts of the case are - A woman was employed in the Children's Hospital in Washington where she received a wage lower than that set as the minimum for women workers in the district. When there was an investigation the woman lost her position. She in turn protested on the grounds that she was willing to work for the lower wage and that by not allowing her to do so she was being deprived of her rights as granted in the fifth amendment of the constitution.

The constitution reads in the fifth amendment - "No person shall be deprived of life, liberty or property; without due process of law."

It was claimed that in this case the minimum wage law took away freedom of contract between the woman and the employer and thus in turn deprived her of property right without due process of law.

The defence claimed that the laws were the reasonable exercise of the police powers of the state or district to protect its women workers from the "conditions" which would arise under "other conditions" detrimental to their health and welfare. These "other conditions" would arise if a lower wage were granted, they claimed.

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Thus the dispute arose as to whether or not the law should be considered as unconstitutional in that it deprived citizens of their rights, or whether it was constitutional in that it was a means of bettering their conditions. The adverse decision was so broad in scope that it has thrown doubt on all the other state laws and general shadow of pessimism has risen on the horizon where the minimum wage defenders looked for success. The decision of the court was not unanimous and it will do to examine both opinions.

Mr. Justice Sutherland speaking for the court said,-

"The statute now under consideration is attacked upon the ground that it authorizes an unconstitutional interference with the freedom of contract included within the guarantees of the due process clause of the fifth amendment. That the right to contract ones affairs is a part of ones liberty as the individual protected by this clause, is settled by this courts decision and is no longer open to question. Within this liberty are contracts of employment of labor. In making such contracts, generally speaking the parties have an equal right to obtain from each other the best terms they can as the result of private bargaining." [1]

In describing in more detail the question of bargaining and right of contract the court said of the Minimum Wage Law, -

"Is is simply and exclusively a price-fixing law, confined to adult women, who are legally as capable of contracting for themselves as men. It forbids two parties having lawful capacity -

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1. Adkins Vs. Childrens Hospital - 261 U.S. 525.

Thus the dispute arose as to whether or not the law should be considered as unconstitutional in that it deprived citizens of their rights, or whether it was constitutional in that it was a means of bettering their conditions. The adverse decision was so broad in scope that it has thrown doubt on all the other state laws and caused shades of pessimism has risen on the horizon where the minimum wage defenders looked for success. The decision of the court was not unanimous and it will do to examine both opinions.

Mr. Justice Sutherland speaking for the court said,-

"The asserted sole under consideration is attacked upon the ground that it authorizes an unconstitutional interference with the freedom of contract included within the guaranty of the due process clause of the fifth amendment. That the right to contract over affairs is a part of our liberty as the individual protected by this clause, is settled by this court's decision and is no longer open to question. Within this liberty are contracts of employment of labor. In making such contracts, generally speaking the parties have an equal right to bargain from each other the best terms they can as the result of private bargaining." [1]

In descriptive in more detail the question of bargaining and right of contract the court said of the Minimum Wage law, -

"Is is simply and exclusively a price-fixing law, confined to adult women, who are legally as capable of contracting for themselves as men. It forbids two parties having lawful capacity -

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[1] Adkins vs. Children's Hospital - 261 U.S. 525.

under penalties as to the employer - to freely contract with one another in respect of the price for which one shall render service to the other in a purely private employment where both are willing, perhaps anxious, to agree, even though the consequence may be to oblige one to surrender a desirable engagement and the other to dispense with the services of a desirable employee." [1.]

The court, when it had said this, continued and gave further reasons for its decision. It claimed that the economics of family groups were not considered in the budget of the minimum wage and it was obvious that one living in a family of workers would support themselves easier than one who must pay room and board. Thus many women could well afford to work for a lower wage.

Also the court said there was no basis for any statement which claimed that there was a relation between low wages and poor morals. They claimed that there was no proof that a woman who is employed at a well-paying position safe-guards her morals any more than one who is poorly paid. They also said there was no distinction between men and women workers in these respects,- "If women require a minimum wage to preserve their morals,men require it to preserve their honesty." [1.]

In conclusion the court says, - "To sustain the individual freedom of action contemplated by the Constitution is not to strike down the common good but to exalt it; for surely the good of society as a whole can not better be served than by preservation against arbitrary restraint of the liberties of its constituent members." [1.]

[1.] Adkins vs. Childrens Hospital - 261 U.S. 525.

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In conclusion the court says, - "To sustain the individual freedom of action contemplated by the Constitution is not to strike down the common good but to exalt it; for surely the good of society as a whole can not better be served than by preservation against arbitrary restraint of the liberties of its constituent members."[1]

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[1] Adkins vs. Children Hospital - 261 U.S. 525.

"It follows that from what has been said, the act in question passes the limit prescribed by the Constitution." [1.]

One who dissented was Mr. Chief Justice Taft. In his opinion he said -

"Legislatures in limiting freedom of contract between employee and employer by a minimum wage, proceed on the assumption that employees, in the class receiving less pay are not upon a full level of equality of choice with their employer and by their necessitous circumstances are prone to accept pretty much anything that is offered.

They are peculiarly subject to the over reaching of the harsh and greedy employer. The evils of the sweating system and of the long hours and low wages which are characteristic of it are well known." [1.]

Speaking of the constitutional amendment and of its effect he said,-

"The right of legislation under the fifth and fourteenth amendments to limit the hours of employment on the score of health of the employee, it seems to me, has been well and firmly established." [2.]

He also said that the 19th amendment although it gave women more political power, did not give them more strength of physical power.

Mr. Chief Justice Holmes also dissented and said,-

"It will need more than the nineteenth amendment to convince me that there are no differences between men and women, or

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1. Adkins vs. Childrens Hospital 261 U.S. 525.

2. Development of Minimum Wage Legislation - U.S.Department of Labor. No.61. p.325.

that legislation can not take those difference into account." [1]

Further on in his dissenting opinion he says,-

"This statute does not compel anybody to pay anything. It simply forbids employment at rates below those fixed as the minimum requirement of health and right living. It is safe to assume that women will not be employed at even the lowest rates allowed unless they earn them or unless the employer's business can sustain the burden. In short,the law in its character and operation is like hundred of so called police-laws that have been upheld." [1]

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[1]. The Development of Minimum Wage Legislation - U.S.Department of Labor - No. 61 - p.325.

V. CONCLUSION OF RESULTS OBTAINED IN UNITED STATES AS A WHOLE.

Now we reach the large question as to whether or not the minimum-wage rates have really aided the women. The Department of Labor frankly admits they do not know. [1]

However, after carefully weighing all evidence they believe that although rates established now do not show an increase over former years they do believe that the very lowest paid women workers have been benefitted. That is, although rates as a whole have increased and minimum-wage rates have not, still in proportion to the cost of living the minimum-wage rates have really aided the lowest paid women.

Of course all advocates of the wage are disappointed at seeing wages in general increase, and seeing the minimum wage fluctuate and in fact be lower in 1929 than in 1919-20 etc., as in Massachusetts where the rate for 1920 was $15.50 and for 1929 is only $14.65.

However, in proportion to the cost of living and not in proportion to what others are getting,is the way one must figure if they wish to aid the underpaid women.

Now let us turn to Massachusetts and see in what way she has legislated differently than other states or better than others. Massachusetts is the pioneer state and the state in which the highest percentage, namely 74 percent of its women workers might be practically effected by the minimum-wage.

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[1]. Development of Minimum Wage Laws in the United States.- U.S.Department of Labor. No. 67. pp. 369-70.

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Of course all advocates of the wage are disappointed at scaled wages in general increase, and seeing the minimum wage fluctuate and in fact be lower in 1929 than in 1919-20 etc., as in Massachusetts where the rate for 1920 was $10.20 and for 1929 is only $10.00.

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[1] Development of Wait-on Wage Laws in the United States.- U.S. Department of Labor. No. 87. Pp. 365-70.

VI. MASSACHUSETTS

A. Early history.

Chapter 71 of the Resolves of 1911 authorized the Governor with the advice and consent of the Council to appoint a commission of five representative persons to study the question of wages for women and minors.

This committee was to report later and advise on whether or not they felt it would be beneficial to create boards to fix minimum rates for women and children in Massachusetts industries.

This committee worked untiringly for about six months in which time they studied the wages of thousands of women workers, as well as gathered other personal and domestic data. They also studied the wage systems in effect in other countries,as the English and Victorian Laws.

This committee recommended the establishment of a permanent Minimum Wage Commission which was to determine the needs for minimum-wages for women and minors.

If after investigation the committee found in any particular industry a substantial amount of women employees receiving a wage of insufficient amount to pay the necessary costs of living it should establish a wage board with representatives of employers and of female employees in the occupation with one or more disinterested persons as representatives of the public.

This board was authorized to make its report and recommendation to the Commission who in turn were to enter a decree based on the determination of the wage board.

II. RECOMMENDATIONS

A. Wage Survey.

Chapter 71 of the Resolves of 1913 authorized the Governor with the advice and consent of the Council to appoint a commission of five representative persons to survey the question of wages for women and minors.

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This board was authorized to make its report and recommendation to the Commission who in turn was to enter a decree based on the findings of the wage board.

The bill at first carried a provision for enforcement and in case of noncompliance, the employer was subject to fine or imprisonment.

The General Court of 1912 legislated almost entirely in accord with the recommendation of the commission. However, they did not go so far as to deem it necessary to penalize the offending employer by anything except advertisement of his offence. [1.]

This law was enacted after much deliberation. Some of the leading advocates who were members of the Commission which advocated it were Hon. George W. Anderson, Hon. Richard Olney and Henry Le Favour. [1.]

In September of 1918 an opinion was rendered by the Supreme Judicial Court of Massachusetts declaring the Minimum Wage Law constitutional in all its provisions. However, this court does not say whether or not the act would be constitutional if its provisions for enforcement were mandatory.

Following this opinion the advocates have succeeded in having amendments adopted which make certain parts of the law compulsory, as -

1. Pasting notices of decrees.
2. Keeping wage records.
3. Keeping records open for inspection.

[1.] Massachusetts House Report No. 1325. - February 1923. Boston (State Printers.)

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1. Posting notices of decrees.
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1. Massachusetts Minimum Wage Report No. 1925. - February 1923. Boston (Wage Finders.)

B. Law of 1912.

Now let us examine more closely the Minimum-Wage law of 1912 in Massachusetts and see what this pioneer state advocated so successfully. A brief examination will show us the basis of all minimum-wage laws in the United States.

Section I established a commission to be known as the minimum-wage commission to consist of three persons, one of whom might be a woman (in 1916 amended to say one must be an employer of female labor one of whom may be a woman and a representative of female labor.) to be appointed by the Governor.

Section 2 provided that each commissioner would be paid $10 per day for service in addition to traveling expenses.

Section 3 says it will be the commissions duty to inquire into the wages paid in any occupation where female labor is employed if they (the commission) has reason to believe it necessary because of low wages.

Section 4 says if the inquiry influences the commission to believe that the wages will not suffice maintainance of health and necessary cost of living, they shall establish a board called a wage board of not less than six representatives of employers, and the same to represent the female employers. (1914 amended these second six to be chosen from among the employees in question) Also one or more disinterested persons appointed by the commission to represent the public. (Amendments later added tell of the methods of notifying the employers and employees of the establishment of a board.)

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Section 5 - Tells of the duties of the wage board. They shall determine the cost-of-living and the minimum-wage rate shall be chosen. When 2/3 (now a majority) agree on the rate they will report it to the commission which will also be given the names of such firms as pay less.

Section 6 - Says the commission shall review this report and if it approves shall hold a public hearing on it. The employers who pay less will be noted and if after fourteen days they refuse to pay the rate established, the commission will have published publicly their names and the rate they pay. (Amendments added to the extent that an employer if he can so prove that he is unable to pay the wage given as the minimum will not have his name published.)

Section 7. Provides for a minority report.

Section 8. Provides for the reconvening of the wage boards on petition of either employers or employees.

Section 9. Provides for the issuing of permits to women who are not able to earn the minimum wage.

Section 10. Provides for the investigation of minors at work.

Section 11. Provided regulations as to the keeping of data by the employers concerning the women at work - It also gives the powers granted the commission in establishing investigations, and tells the penalties($5-$50)fine for non-compliance.

Section 11½. Provides for the posting of minimum wage notices of rates,-hearings etc., by the employers in order that the employees will know what is being done.

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Section 11. Provides regulations as to the keeping of data by the employers concerning the women at work - It also gives the powers granted the commission in establishing investigations, and sets the penalties(!)-$100 fine for non-compliance.

Section 12. Provides for the posting of minimum wage notices of rates.-hours etc., by the employers in order that the employees will know what is being done.

Section 12. Provides for the collection of statistics.

Section 13. Gives the penalties provided against an employer who in any way harms an employee because of testimony before the commission or wage board ($200-$1,000)

Section 14. Provides for a check up from time to time and the publishing of names for non-compliance.

Section 15. Provides penalty for newspapers which refuse to publish names (not less than $100) (declared unconstitutional though in 1926)

Section 16. Says no one shall be held liable for the publishing of names of non-complying employers.

Section 17. Provides for annual report of the commission.

Later laws were added which consolidated the minimum-wage commission with the Department of Labor. The Minimum Wage Commission was abolished and made a sub department under the Department of Labor. [1]

One of the noteworthy contributions of the Massachusetts Commission was in 1922 when it presented a group of articles to the Department of Labor to aid in the establishing of a minimum-wage rate by the wage boards as in the past much time was being wasted. These have greatly reduced the wasted time.

In short the articles said -

1. The fact that a girl lives at home should not be considered.

2. The rate should not be reduced below the standard cost-of-living figure except by unusual conditions, caused by the condition of the trade considered.

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[1] The Acts & Resolves, 1912. Chap.706. pp. 780-784.

Section 12. Provides for the collection of statistics.

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1. The Wage Decision, Ibid. Chap.705. pp. 380-384.

3. The board should submit their work in less than two months.

4. Not more than three months should elapse before the rate submitted should be decreed.

5. The items given elsewhere should be in the cost-of-living budget. These are the thirteen items given previously.

C. Efforts of 1923.

In 1923 there was a great effort raised by the commission of Unemployment and Minimum wage in its report to have the minimum wage laws made mandatory. This failed and was considered a crisis in the minimum wage field. Mr. Healy, a member of the commission deplored the fact that the law was not strong enough as it let dishonorable employers "get away" with a low wage and there was no legal way to stop them. He asked for a system of "impartial enforcement" of the Minimum wage decrees. It was not passed however. [1]

D. Budget work.

Massachusetts has been commended nationally upon her budget work and has surely worked hard to establish charts and graphs showing her itemized cost of living schedules. A comparison is given on the next page of the itemized budget for 1914 and 1929. Although the budget is totaled higher now it has been higher at other times. This will show that the cost of living has been closely followed. The following shows the trend of the minimum wage in Massachusetts. [2]

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1. Massachusetts House Report No. 1325 - Report of the Special Commission on Unemployment.and Minimum Wage. February 1923.

2. Department of Labor & Industries. Division of Minimum Wage. Itemized Cost of Living Budget. Order 8786.

3. The board should submit their work in less than two months.

4. Not more than three months should always before the rate submitted should be decreased.

5. The items given members should be in the cost-of-living budget. These are the thirteen items given previously.

B. Effects of law.

In 1925 there was a great effort raised by the commission of Unemployment and minimum wage in its report to have the minimum wage law made mandatory. This failed and was considered a crisis in the minimum wage field. Mr. Perry, a member of the commission deplored the fact that the law was not strong enough as it let disadvantageous employers "get away" with a low wage and there was no legal way to stop them. He asked for a system of "impartial enforcement" of the minimum wage decrees. It was not passed however.[1]

D. Budget work.

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[1] Massachusetts House Report No. 1888 - Report of the Special Commission on Unemployment and Minimum Wage. February 1925.

[2] Department of Labor & Industries. Division of Minimum Wage. Itemized Cost of Living Budget. Order Wage.

Year	Minimum Wage	Year	Minimum Wage
1914	$ 8.71	1923	$13.20
1919	15.30	1924	13.50
1920	15.25	1925	13.90
1920	15.50	1925	13.00
1921	13.50	1925	13.75
1922	14.40	1925	13.00
1922	13.97	1926	14.95
1922	13.75	1926	13.50
1922	13.92	1928	14.00
		1929	14.65

Itemized Cost Of Living Budgets

	1914	1929
Board and Lodging	$5.25	$8.42
Clothing	1.44	2.45
Laundry	.50	.45
Doctor, Dentist and Oculist	.20	.50
Carfares	.70	.54
Church	.10	.15
Self Improvement		.25
Vacation	.19	.35
Recreation	.17	.44
Reserve for emergency		.40
Mutual Association dues		.20
Insurance		.25
Incidentals		.25
Newspapers and Magazines	.16	—
Total	$8.71	$14.65

included in this (1929)

Year	Minimum Wage	Year	Minimum Wage
1916	$ 8.71	1923	$12.20
1919	10.30	1924	12.90
1920	10.25	1925	12.90
1920	10.50	1926	13.00
1921	12.00	1927	13.75
1922	14.40	1928	13.00
1922	12.97	1929	14.50
1922	12.75	1930	13.50
1922	12.00	1931	14.00
		1932	14.00

Itemized Cost of Living Budgets

	1916	1929
Rent and Lodging	$4.25	$5.00
Clothing	1.44	2.00
Laundry	.50	.60
Doctor, Dentist and Drugist	.50	.80
Carfare	.70	.94
Church	.10	.15
Self Improvement		.50
Recreation	.15	.35
Recreation	.17	.44
Reserve for emergency		.10
Union Association dues		.20
Insurance		.50
Incidentals		.25
Newspaper and Magazines	.15	
Total	$6.71	$10.82

It is interesting to note the items in the Budgets as they were expressed in the various itemized costs of living from 1914 to 1929.

In the first budget adopted in 1914 in the Brush Board industry there was no provision for Self-improvement, Reserve for emergency Mutual Association Dues, Insurance or Incidentals as such. True 16 cents was alloted for newspapers and magazines which would just about supply a person with a newspaper each day - [1] hardly that, if a Sunday paper at 7 or 10 cents was purchased.

Later boards included these articles, sometimes by lumping them under others as Recreation and self improvement were in one item in some of the later budgets.

Insurance received little importance at first but later was habitually included.

It would be interesting to note the amounts given to these newer items. There have been so many variations and combinations under different terms that we can not gain much by giving each item. Therefore I will separate the "absolute essentials" and the newer "extra-activity" items as it were.

In the first group we have -

Board and lodging	Vacation
Clothing	Laundry
Doctor, Dentist and Oculist	
Car fares	
Church	

[2]

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[1]. Div. of Minimum Wage - Dept. of Labor - Mass. List of Budgets

[2]. The Itemized Budgets of the Dept. of Labor - Minimum Wage Bureau.

It is interesting to note the items in the budgets as they were expressed in the various itemized costs of living from 1914 to 1920.

In the first budget adopted in 1914 in the Kansas Board industry there was no provision for self-improvement, Reserve for emergency Mutual Association Dues, Insurance or Incidentals as such. Time in excess was allowed for newspapers and magazines which would just about supply a person with a newspaper each day - hardly that if a Sunday paper at 7 or 10 cents was purchased.

Later budgets included these articles, sometimes by lumping them under others as Recreation and self improvement were in one item in some of the later budgets.

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In the first group we have -

Board and lodging

Clothing

Doctor, Dentist and Nursing

Car fares

Church

Vacation

Laundry

1.

2.

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1. Div. of Minimum Wage - Dept. of Labor - Mass. List of Budgets
2. The itemized Budgets of the Dept. of Labor - Minimum Wage Bureau.

It may even be noted that car fares as an item was left out of two budgets - the Paper Box Board one in 1920 and the Millinery Board one in 1925. There was no mention of it under other items either.

However in a later month in 1925 the largest amount ever given for car fare - ($1.13) was itemized.

Under the non-essentials we may list -

Self-improvement	Mutual Association Dues
Recreation	Insurance
Reserve for emergency	Incidentals

Newspapers and magazines

Twice there has been no mention whatsoever of recreation. This was in 1921 and in 1922.

The others have been ignored more frequently. This has happened in the earlier budgets though and in the last four budgets every one of these items is found.

The amount given as a total for these "non-essentials" or "extra-activities" as compared with the total amount of the budget I find to be -

Board	Year	Total Non-Essential	Total Amount
Brush Board	1914	$0.52	$8.71
Knit Goods	1919	1.90	15.30
Womens Clothes	1920	1.35	15.25
Paper Box	1920	2.00	15.50
Minor Confectionary	1921	1.25	13.50
Brush Board	1921-2	1.90	14.40
Womens Clothes	1922	1.62	13.97

Muslin Underwear	1922	$1.60	$13.75
Brush Board	1922	1.97	13.92
Druggists Compound	1923	1.90	13.20
Canning & Preserves	1924	1.25	13.50
Millinery Board	1924-5	1.65	13.90
Bakery Board	1924-5	1.50	13.00
Stationary Board	1925	1.55	13.75
Candy Board	1925	1.30	13.00
Jewelry Board	1926	2.95	14.95
Toys & Games	1926	1.25	13.50
Electrical Equipment	1928	1.95	14.00
Boot & Shoe	1929	2.14	14.65 [1]

It is noticed that the amounts vary in each column but the general tendency is to give an increasing percentage of the budget over the"non-essential"items and we may be sure it is not offset by cutting down on the "essential items." The "essential items" have been taken care of much as previously and the change has been to give an increasing amount to the non-essentials.

This is a step forward in an attempt to provide for human existance as all intelligent observers realize that these later non-essential items must become essential ones if we are to have social progress.

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1. All figures from the Com. of Mass. Department of Labor - Minimum Wage Division - reports.

Health Director	1928	$1.60	$13.75
Brush Board	1922	1.87	13.95
Immigrate Compound	1922	1.60	13.80
Grading & Freezers	1924	1.25	13.80
Military Boots	1921-3	1.85	13.50
Library Board	1926-3	1.30	13.00
Sanitary Board	1928	1.25	13.75
Candy Board	1922	1.30	13.00
Jewelry Board	1926	2.25	14.25
Toys & Games	1922	1.25	13.50
Electrical Equipment	1928	1.25	14.00
Boot & Shoe	1920	2.14	14.50

It is noticed that the amounts vary in each column but the general tendency is to give an increasing percentage of the budget over the "non-essential" items and we may be sure it is not offset by putting down on the "essential items." The "essential items" have been taken care of much as previously and the change has been to give an increasing amount to the non-essentials.

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VII. CONCLUSION.

A. Present technical situation.

As a technical conclusion I have two things to offer. First, the present technical conclusion as to the present condition of Minimum Wage Legislation.

" 1. Three laws have been repealed. (Nebraska, Texas and Utah.)

2. Three have been held unconstitutional by the United States Supreme Court. (Arizona, Arkansas and the District of Columbia.)

3. Two laws have been held unconstitutional by local supreme courts following the United States Supreme Court decision in the Adkins case. (Kansas and Porto Rico.)

4. The Minnesota law recognizes the effect of the Adkins Case but is considered valid for minors.

5. The California Law is ineffective because of inadequate appropriations.

6. North Dakota has repealed. Section 17 of the Minimum Wage Act, provided for regular appropriations and has made it necessary to pass special appropriation bills biennially.

7. Wisconsin has amended its law for the purpose of continuing the legislation as valid within the decision of the Adkins case.

8. The Massachusetts Law, depending upon public opinion to enforce its Minimum Wage orders is apparently constitutional.

9. California and Washington, it is understood,

VII. CONCLUSION.

A. Present technical situation.

In a technical conclusion I have two things to offer. First, the present technical conclusion as to the present condition of Minimum Wage Legislation.

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2. Three have been held unconstitutional by the United States Supreme Court. (Arizona, Arkansas and the District of Columbia.)

3. Two laws have been held unconstitutional by lower supreme courts following the United States Supreme Court decision in the Adkins case. (Kansas and Porto Rico.)

4. The Minnesota law recognizes the effect of the Adkins Case but is considered valid for minors.

5. The California law is ineffective because of inadequate appropriations.

6. North Dakota has repealed. Section 17 of the Minimum Wage Act, provides for regular appropriations and has made it necessary to pass special appropriation bills biennially.

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9. California and Washington, it is uncertain.

and probably North Dakota, Oregon and South Dakota, are depending upon public opinion with the help of the minimum wage legislation to affect the wage of women in private employment." [1.]

A second technical observation is that of Miss Mary Anderson, -

"If Minimum Wage laws are to continue, the administering agencies must try to have rates set, which will really approximate the cost of living and they must try to be sure that the number of women, who as minors and apprentices, and sub-standard workers, receive less than the minimum wage, is kept at the lowest possible figure. There is no magic in Minimum Wage laws to raise all rates. They may have this effect, but they should claim only to pull to their own level the lowest-paid workers." [2.]

B. Personal conclusion.

As for my own conclusion, it seems to me that the great trouble is, as is the case with many of our social movements of the better sort, that it is misunderstood by many people, who if properly educated to the facts would in all probability be staunch advocates of the movement.

Many arguments are advanced in opposition to it but every one of them can be refuted. The aim of the minimum wage is purely one of social betterment. It is not a scheme of labors to defeat capitol, neither is it a scheme of capitols by which it may reduce all wages to the minimum one. The aim is merely to

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1. Monthly Labor Review - November 1929. pp.1071.,published by U.S. Department of Labor. U.S.Government Printing Office. 1929.

2. U.S. Bulletin. No. 61 of the Department of Labor Womens Bureau. pp. 370-371.

and probably North Dakota, Oregon and South Dakota, are depending upon public opinion with the help of the minimum wage legislation to offset the wage of women in private employment." [1]

A modest technical observation in view of this very interesting.

"If minimum wage laws are to continue, the administering agencies must try to have rates set, which will really appreciate the cost of living and they must try to be sure that the number of women, who as minors and apprentices, and sub-standard workers, receive less than the minimum wage, is kept at the lowest possible figure. There is no magic in minimum wage laws to raise all rates. They may have some effect, but they should claim only to pull to their own level the lowest-paid workers." [2]

I. Personal conclusion.

As for my own conclusion, it seems to me that the great trouble is, as in the case with many of our social movements of the better sort, that it is misunderstood by many people, who if properly educated to the facts would in all probability be strong advocates of the movement.

Many arguments are advanced in opposition to it but every one of them can be refuted. The aim of the minimum wage is purely one of social betterment. It is not a scheme of labore to defeat capital, neither is it a scheme of capitals by which it may reduce all wages to the minimum one. The aim is merely to

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[2] U.S. Bulletin. No. 61 of the Department of Labor Women Bureau. pp. 370-371.

improve the condition of the under-paid worker. Every place where points have been questioned the minimum wage proponents have tried to arbitrate and do all they could to reach satisfactory and beneficial conclusions. They have heard the pleas of the employers telling of the workers who were not able to earn a minimum and telling of the industrial conditions which made it impossible to pay the wage named.

Again, they have heard the pleas of the underpaid who claimed they could not live and provide for their health as human beings under low wages. All arguments have been weighed, all conditions examined and honest effort expanded in all directions in attempts to aid everyone.

The unfortunate decisions of the Supreme Court have greatly retarded the movement to be sure. However, they have not been unanimous decisions and it seems that they differ on interpretation.

To me it seems that the founders of this country did not mean to insert in their constitution anything which would make it difficult for people to live as human beings. Rather they put in the "life, liberty and pursuit of happiness clause" in order that people might live as such.

However, we must remember that all past documents should be interpreted in the light of present day conditions.

It seems a pity that we should quibble over the meaning of words here and there in order to be technically correct, when the general motive is one of betterment and is being retarded. Rather why not remedy the unfortunate phraseology and go on with

improve the condition of the under-paid worker. Every place where police have been questioned the minimum wage proponents have tried to evaluate and do all they could to reach satisfactory and beneficial conclusions. They have heard the pleas of the employers pulling of the workers who were not able to earn a living and telling of the industrial conditions which made it impossible to pay the wage demand.

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It seems a pity that we should quibble over the meaning of words here and there in order to be technically correct, when the general motive is one of betterment and is being retarded. Rather why not remedy the unfortunate phraseology and go on with

the work at hand towards social betterment.

While we have legal restrictions we can not progress far. Wisconsin has attempted to dodge the law by changing words around and getting the same general idea. I think this is not the better way. Why not amend the law where necessary and give the minimum wage a trial? Surely it would fare as well as other amendments have and is deserving without a doubt.

The work is just beginning and I feel sure that although the results are slow in forth coming they will repay the energy spent in their advancement.

If time is spent in "favorable propaganda" which will enlighten both sides, capital and labor, I believe that in the end minimum-wage will find its place as an accepted and worthy addition to our social progress.

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